BEFORE THE LOK ADALATH
ORGANIZED BY THE KERALA HIGH COURT LEGAL SERVICES COMMITTEE

PRESENT :

THE HONOURABLE MR. JUSTICE M.R.HARIHARAN NAIR
(RETD.JUDGE, HIGH COURT OF KERALA)
&
THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
(JUDGE, HIGH COURT OF KERALA)

THURSDAY, THE 27TH SEPTEMBER 2007 / 5TH ASWINA 1929

RSA No. 67 of 2005(G)

AS.81/2003 of PRINCIPAL SUB COURT,ATTINGAL
OS.265/2001 of MUNSIFF'S COURT,VARKALA
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APPELLANT/APPELLANT/DEFENDANT:

MANISHA, S/O. SARASAMMA,
MANISHAYIL VATTAPLAMOODU,
SREENIVASAPURAM, CHERUKUNNAM DESOM,
VARKALA.

BY ADV. SRI.M.DINESH
SRI.BASANT BALAJI

RESPONDENTS/RESPONDENTS/PLAINTIFFS:
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1. SUMATHY, W/O. LATE GOPINATHAN,
CHIRAMOOLA KUNNUMPARATHU VEEDU, MEL KADAKAVOOR,
CHIRAYINKEEZHU VILLAGE.

2. SUNIL KUMAR, S/O.GOPINATHAN,
CHIRAMOOLA KUNNUMPARATHU VEEDU,
MEL KADAKAVOOR, CHIRAYINKEEZHU VILLAGE.

3. SUNILDATH, S/O. GOPINATHAN,
CHIRAMOOLA KUNNUMPARATHU VEEDU,
MEL KADAKAVOOR, CHIRAYINKEEZHU VILLAGE.

BY ADV. SRI.K.SATHYADAS
SRI.RAM MOHAN.G.
SRI.MANU V.
SRI.G.P.SHINOD
SRI.P.C.CHACKO(PARATHANAM)

THIS REGULAR SECOND APPEAL HAVING COME UP FOR DETERMINATION AT THE LOK ADALATH AND THE PARTIES HAVING SETTLED THE MATTER, THE FOLLOWING AWARD IS PASSED IN TERMS OF THE SETTLEMENT:

ORDER ON I.A. NO.129/2005 IN RSA NO.67/2005

CLOSED

SD/-
M.R.HARIHARAN NAIR (RETD.JUDGE)

SD/-
27.9.07 KURIAN JOSEPH, JUDGE

/TRUE COPY/

P.A. TO JUDGE

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JUSTICE M.R.HARIHARAN NAIR (RETD. JUDGE, HIGH COURT OF KERALA)
&
JUSTICE KURIAN JOSEPH (JUDGE, HIGH COURT OF KERALA)

R.S.A. No.67 of 2005

Dated this the 27th day of September, 2007

AWARD

The parties have settled their difference out of court on the following terms:

1. The appellant has today paid over to the respondents counsel on behalf the respondents Demand Draft Nos.160129 dated 26.9.07 of the Dhana Lakshmi Bank for Rs.5,00,000/- and No.624649 dated 26.9.07 for Rs.5,25,000/-, both in the name of Sumathy, Sunil Kumar and Sunildath respondents 1 to 3 respectively in the present appeal.

2. The respondents have received the said amount of Rs.10,25,000/- in full and final settlement of all their claims over the subject matter of O.S. No.265/01 of the Munsiff Court, Varkkala and relinquished of their rights thereover in favour of the appellant.

3. The subject matter of the case is under an agreement to sell executed today in favour of Sri.Ayub Khan, S/o.Hassanaru Pillai, Sheeba Bhavan, Keezhvalam Village, Chirayinkil.

4. The parties have agreed that they will all sign the conveyance in favour of the said Ayub Khan at an early date and that the consideration therefor shall be received by the appellant alone.

5. The appeal is disposed of in terms of the compromise which is recorded. Both parties will suffer their respective costs. Issue copies of the award to the counsel for both sides.

M.R.HARIHARAN NAIR
(RETD. JUDGE, HIGH COURT OF KERALA)

KURIAN JOSEPH
(JUDGE, HIGH COURT OF KERALA)

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